

**MINUTES OF THE CITY COMMISSION MEETING
JANUARY 12, 2004**

The City of Leesburg Commission held a regular meeting Monday, January 12, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner John Christian
Mayor David Knowles

Also present were City Manager (CM) Ron Stock, City Attorney (CA) Fred Morrison, City Clerk (CC) Betty Richardson, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Christian gave the invocation followed by the Pledge of Allegiance to the flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
DECEMBER 22, 2003 AND ORGANIZATION MEETING HELD JANUARY 5, 2004**

Commissioner Puckett moved to approve the City Commission minutes of the regular meeting held December 22, 2003. Commissioner Lovell seconded the motion and it carried unanimously.

Commissioner Lovell moved to approve the City Commission minutes of the Special Commission Meeting held January 5, 2004. Commissioner Perry seconded the motion and it carried unanimously.

Mayor Knowles recognized his wife Sherry, his son Tim, and his father Joe. He thanked them for their continued support.

CONSENT AGENDA:

Pulled C-2 (Renovation of Vista Pak Building)

Commissioner Perry moved to adopt the Consent Agenda with the exception of C-2. Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the Consent Agenda as follows:

PURCHASING ITEMS:

1. Piggyback – Laboratory analyses related to wastewater compliance and City of industrial pretreatment program with TestAmerica Analytical Orlando Bid Testing Corporation, Inc. for \$55,869.00

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RESOLUTIONS:

RESOLUTION 7013

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an amendment to the agreement between the City of Leesburg and Harvard Jolly Clees Toppe Architects, P.A. for the purpose of funding professional architectural and engineering design services for Task 2 of the new Leesburg Public Library; and providing an effective date.

RESOLUTION 7014

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an interlocal agreement related to the creation of the Metropolitan Planning Organization; and providing an effective date.

RESOLUTION 7015

A resolution of the City Commission of the City of Leesburg, Florida, approving the form and content of standard agreement to be utilized by the City for lighting leases; and providing an effective date.

RESOLUTION 7016

A resolution of the City Commission of the City of Leesburg, Florida, appointing John L. Johnson as a member of the Leesburg Public Library Advisory Board to fill the remaining portion of a five-year term of office to end September 30, 2008; and providing an effective date.

OTHER AGENDA ITEMS:

1. Appropriate forfeiture funds to purchase elementary school D.A.R.E. Graduation Tee-Shirts

APPROVED RENOVATION OF THE VISTA PAK BUILDING

Commissioner Lovell introduced the item.

Mayor Knowles questioned why the City wants to spend \$67,000 to renovate a building when the Elk's Club building is working well. CM Stock stated renovating the Elk's Club building would cost more than removing it. He noted the Vista Pak building will be used for the Housing Department during City Hall Annex renovations. Once the renovations are done, CM Stock would like to move the Center for the Arts to the Vista Pak building.

Mayor Knowles stated he would like to look at keeping the Elk's Club building if at all possible.

Commissioner Perry noted the Elk's Club building demolition had already been voted on and was approved by a four to one vote.

Commissioner Christian moved to approve the renovations of the Vista Pak building. Commissioner Lovell seconded the motion and it passed with a four to one vote with Commissioner Perry voting against the motion.

PUBLIC HEARINGS:

ADOPTED ORDINANCE 04-01 AMENDING §3-76(15) OF THE CODE OF ORDINANCES TO ELIMINATE THE EXEMPTION OF BENCHES FROM THE PROVISIONS OF THE SIGN ORDINANCE; PROHIBITING BENCHES, TRANSIT SHELTERS, OR WASTE RECEPTACLES CONTAINING ADVERTISING WITHOUT COMMISSION APPROVAL

CC Richardson read the ordinance by title only as follows:

An ordinance of the City of Leesburg, Florida, amending §3-76(15) of the Code of Ordinances, to eliminate the exemption of benches from the provisions of the sign ordinance; prohibiting any benches, transit shelters, or waste receptacles containing any sign or advertising of any kind without approval from the City Commission; establishing standards to govern when approval of exemptions from this ordinance may be granted; repealing conflicting ordinances; providing a severance clause; and providing an effective date.

Commissioner Perry moved to approve the ordinance. Commissioner Puckett seconded the motion.

Jimmy Crawford, attorney with Gray Robinson who represents GBW Development and Gary Butler, stated his client fully supports the ordinance with one exception. Paragraph D states no contract will be given to anyone cited by Code Enforcement within the last few years. His client has not had any citations yet.

Commissioner Puckett stated this should be a clean slate in terms of the benches. CA Morrison agreed.

DCM Johnson stated staff has been discussing this topic with the Federal Department of Transportation (FDOT). FDOT requires a permit for benches in the right-of-way. The City has the ability to grant the benches or ask they be removed.

CA Morrison noted benches currently are exempt from the sign ordinance, but they do require approval from FDOT and the City.

Attorney Crawford stated his client is willing to talk to the City about possibly removing the benches right now and then obtaining a contract.

Commissioner Puckett stated the Commission should look at pictures of the benches themselves and where they will be placed before approving them.

Commissioner Lovell stated he does not like this idea. The City has spent a great deal of money to improve the appearance. These benches detract from the appearance.

Commissioner Perry agreed stating he does not like this idea either however he is willing to approve the ordinance. On the other hand, he is also willing to ban them entirely.

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Commissioner Christian stated he is concerned about how the regulation of the bench placement will be done.

CA Morrison stated the City had a bench contract with the Jaycees. The Jaycees disbanded and Sunrise Rotary took over their benches. Mr. Butler's benches came in more recently. The original proposed ordinance asked to ban these benches entirely. Sunrise Rotary requested a change to the ordinance to allow these benches (original and new).

DCM Johnson noted bus shelters are also at issue. Staff would like to return with a report on where the bus shelters and benches are located, what they look like, where the bus stops are (County and School Board) and realign the benches and shelters with the bus stops.

CM Stock noted the City has no problem approving bus shelters if they are for kids.

Attorney Crawford stated he understands the need to have the benches aesthetically pleasing. They can be restricted by size, theme, color, etc.

The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

INTRODUCED AN ORDINANCE AMENDING THE FISCAL YEAR 2002-03 BUDGET FOR THE HOUSING FUND

Commissioner Lovell introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City Commission of the City of Leesburg, Florida amending the Fiscal Year 2002-03 Budget for the Housing Fund, and providing an effective date.

INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM CITIZENS FIRST BANK FOR LAND IN SECTION 14-19-24 (MARSHALL DRIVE AND NORTH SHORE DRIVE)

Commissioner Lovell introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Citizens First Bank, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 14, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM PAUL AND EMILY YASBECK FOR LAND IN SECTION 2-20-24 (MAGNOLIA AVENUE AND SHORT STREET, FRISCH'S SUBDIVISION)

Commissioner Puckett introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Paul J. Yasbeck, Jr., and Emily E. Yaskbeck, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 02, Township 20 south, Range 24 east, Lake County, Florida; and providing an effective date.

INTRODUCED AN ORDINANCE PROVIDING EMERGENCY MANAGEMENT PROCEDURES FOR THE CITY IN THE ABSENCE OF THE MAYOR AND DEFINING THE TERMS OF "GRAVE PUBLIC DANGER" AND "EMERGENCY"

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance creating Section 2-5 of the Code of Ordinances of the City of Leesburg, Florida providing emergency management procedures for the city in the absence of the Mayor; defining the terms grave public danger and emergency; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

CITY ATTORNEY ITEMS: None

CITY MANAGER ITEMS:

1. CM Stock introduced Lora Bailey as the new Public Works Director. He noted she has an Engineering degree. The City is happy to have Lora on board.
2. CM Stock stated Commissioner Perry has an item to discuss. CM Perry stated he would like to re-open his motion to have the Mayor be the Lake County League of Cities delegate each year. He wants to reconsider the motion as during the first year, the delegate is getting up to speed and then becomes effective during the second year. A lack of continuity would be a problem. Commissioner Perry moved to reconsider the vote on having the Mayor always serve as the delegate to the Lake County League of Cities. Commissioner Lovell seconded the motion and it passed unanimously.

Commissioner Perry moved to return the choice of designee by joint consensus of the Commission as it has been done in past years. Commissioner Lovell seconded the motion and it passed unanimously.

ROLL CALL:

Commissioner Lovell – None

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Commissioner Perry –. None

Commissioner Puckett - None

Commissioner Christian – Thanked the residents who voted for and showed confidence in him. Some of his expectations include the Commission having a vision session with staff to see where the City is going and he would like to have a paperless agenda. CM Stock noted there are funds for the paperless agenda in the budget. CM Stock stated a vision session will be scheduled in March. The date will be set at the next meeting. The meeting will not involve team-building exercise nor will it involve a facilitator. It will be a chance to review the current projects and possibly change some of the priorities. This is important to do, as there has been a change on the Commission.

Mayor Knowles – Thanked everyone for attending and keeping their comments under three minutes.

Commissioner Lovell moved to adjourn the meeting and Commissioner Puckett seconded the motion. The meeting adjourned at 6:14 p.m.

Mayor

Attest:

City Clerk

Diane L. Gibson Smith

Recorder

MINUTES 040112